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10/798,939	03/11/2004	Shinjiro Yamashita	2552-000062	6916
27572 7590 08/04/2009 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303				
EXAMINER OLANIRAN, FATIMAT O				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/798,939

**Applicant(s)**

YAMASHITA ET AL.

**Examiner**

FATIMAT O. OLANIRAN

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection necessitated by applicant's amendment.

### ***Claim Objections***

2. Claims 2, 9-10 and 13 objected to because of the following informalities: The status identifier for claims 2, 9-10, 13 are inaccurate, for example, claim 2 is currently amended but identified as "previously presented". See MPEP 714 Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKinley Jr (4479240) in view of Cresci et al (7245727).

Claim 1, McKinley discloses a sound control system comprising: a mixing unit which applies a mixing process to a plurality of sound signals input from a plurality of input systems, and outputs resultant signals to a plurality of output systems (Fig. 1 and col. 3 line 25-42); a storing device which stores plural sets of detailed setting information to

indicate setting states of respective parameters associated with the mixing process (Fig. 3-4 and col. 5 line 25-30); and a simple control unit; wherein the simple control unit includes a plurality of operating pieces, and an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction of a certain detailed setting information is input via any operating piece out of the plurality of operating pieces (Fig. 2-3 and col. 5 line 1-30), and wherein the mixing unit and the mixing process are controlled by the respective parameters indicated in the certain detailed setting information (Fig. 2-3 and col. 4 line 58-68 and col. 5 line 1-30), wherein the mixing unit includes a receiving unit which receives the calling instruction of the certain detailed setting information from the simple control unit (Fig. 2-3 and col. 4 line 38-57).

McKinley does not disclose a deciding unit that is responsive to authorization parameter identifying information which identifies a subset of respective parameters that the simple control unit is authorized to modify among the respective parameters indicated in the certain detailed setting information, and which restricts a user of the simple control unit from modifying respective parameters that are not among the subset of respective parameters.

Cresci discloses a deciding unit (Fig. 2 and col. 3 line 60-67 and col. 4 line 1-4) that is responsive to authorization parameter identifying information which identifies a subset of respective parameters that a simple control unit is authorized to modify among the respective parameters indicated in the certain detailed setting information, and which

restricts a user of the simple control unit from modifying respective parameters that are not among the subset of respective parameters (Fig. 2 and col. 4 line 5-33).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the mixer of McKinley with the mixer control of Cresci in order to provide a user with a convenient and versatile system.

Claim 2 analyzed with respect to claim 1, McKinley does not disclose wherein the authorization parameter identifying information is contained in the detailed setting information.

Cresci discloses wherein the authorization parameter identifying information is contained in detailed setting information (col. 4 line 18-33 and col. 8 lines 31-46).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the detailed information of McKinley with the control of Cresci in order to provide a user with a convenient and versatile system.

Claim 3, analyzed with respect to claim 1-3, McKinley in view of Cresci discloses further comprising: an information generating device which generates the detailed setting information in response to an input operation, and stores generated detailed information in the storing device (McKinley; Fig. 3-4 and col. 5 lines 25-30).

Claim 4 McKinley discloses a sound control system comprising: a mixing unit which applies a mixing process to a plurality of sound signals input from a plurality of input systems, and outputs resultant signals to a plurality of output systems (Fig. 1 and col. 3 line 25-42); a storing device which stores plural sets of detailed setting information to indicate setting states of respective parameters associated with the mixing process (Fig. 3-4 and col. 5 line 25-30); and a simple control unit;

wherein the simple control unit includes a plurality of operating pieces, an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction of a certain detailed setting information is input via any operating piece out of the plurality of operating pieces (Fig. 2-3 and col. 4 line 38-57), wherein the mixing unit includes a receiving unit which receives the calling instruction from the simple control unit (Fig. 1 & 3).

McKinley does not explicitly disclose an assigning unit which receives an authorization parameter information corresponding to the calling instruction from the mixing unit, and assigning a parameter to the operating pieces based on the received authorization parameter information, and wherein the mixing unit and the mixing process are controlled by the respective parameters indicated in the certain detailed setting information, and a transmitting unit, responsive to authorization parameter identifying information which identifies a predetermined subset of respective parameters that the simple control unit is authorized to modify among the respective parameters indicated in the certain detailed setting information for applying the authorization parameter identification information to restrict a plurality of parameters indicated in the

certain detailed setting information and associated with the mixing process, and b) transmitting the authorization parameter identifying information to the simple control unit as the authorization parameter information wherein the mixing unit a) receives the authorization parameter identifying information and b) restricts operating a function of the simple control unit to only the authorization parameter identifying information, such that a user of the simple control unit is restricted from applying control parameters that are not among the predetermined subset.

Cresci discloses and an assigning unit which receives an authorization parameter information corresponding to the calling instruction from the mixing unit, and assigning an parameter to the operating pieces based on the received authorization parameter information, and wherein the mixing unit and the mixing process are controlled by the respective parameters indicated in a certain detailed setting information (col. 4 line 18-33 and col. 8 lines 31-46) and a transmitting unit, responsive to authorization parameter identifying information which identifies a predetermined subset of respective parameters that the simple control unit is authorized to modify among the respective parameters indicated in the certain detailed setting information for applying the authorization parameter identification information to restrict a plurality of parameters indicated in the certain detailed setting information and associated with the mixing process, and b) transmitting the authorization parameter identifying information to the simple control unit as the authorization parameter information wherein the mixing unit a) receives the authorization parameter identifying information and b) restricts operating a function of the simple control unit to only the authorization parameter identifying information, such

that a user of the simple control unit is restricted from applying control parameters that are not among the predetermined subset (Fig. 2 col. 4 line 18-33 and col. 8 lines 31-46).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the mixer of McKinley with the mixer control of Cresci in order to provide a user with a convenient and versatile system.

Claim 5 analyzed with respect to claim 4, Cresci discloses wherein an operating piece assigning information to identify an operating piece to which the authorization parameter identifying information is assigned is contained in the authorization parameter information (Fig. 2 col. 4 line 18-33).

Claim 6 analyzed with respect to claim 4, recites the limitations of claim 2.

Claim 7 analyzed with respect to claim 4, McKinley in view of Cresci discloses wherein, when a plurality of simple control units are equipped, the transmitting unit decides the authorization parameter identifying information for respective simple control units in such a manner that the authorization parameter identifying information is decided differently among respective simple control units (McKinley; Fig 1 Cresci Fig. 2 col. 4 line 18-33).

Claim 8 analyzed with respect to claim 4, McKinley in view of Cresci disclose further comprising: an information generating device which generates the detailed setting information in response to an input operation, and then storing a generated detailed information in the storing device (McKinley; Fig. 3-4 and col. 5 lines 25-30).



Claim 9 analyzed with respect to claim 1, McKinley in view of Cresci disclose wherein the deciding unit acts on the authorization parameter identifying information which restricts in advance the parameters that can be set by the simple control unit (Cresci Fig. 2 col. 4 line 18-33).

Claim 10 analyzed with respect to claim 4, McKinley in view of Cresci disclose wherein the assigning unit acts to generate the authorization parameter identifying information which restricts in advance the parameters that can be set by the simple control unit (Cresci Fig. 2 col. 4 line 18-33).

Claim 11 analyzed with respect to claim 1, McKinley in view of Cresci disclose wherein the plural sets of detailed settings information are plural sets of predetermined detailed settings information (McKinley; Fig. 2-3 and col. 4 lines 58-68 and col. 5 lines 1-30).

Claim 12 analyzed with respect to claim 4, recites the limitations of claim 11.

Claim 13, McKinley discloses a sound control system comprising: a mixing unit which applies a mixing process to a plurality of sound signals input from a plurality of input systems and outputs resultant signals to a plurality of output systems (Fig. 1 and col. 3 line 25-42); a first control unit in communication with the mixing unit and having a plurality of control input points, wherein the first control unit a) allows a user to set

values of,

through the plurality of control input points during the mixing process, a plurality of control parameters for controlling the mixing unit and b) allows a user to select a subset of the plurality of control parameters and stores the selected subset as authorization parameters; a second control unit separate from the first control unit, in communication with the mixing unit, and operating a function of the mixing process assigned by the mixing unit (Fig. 3 and 4 and col. 4 line 60-68 and col. 5line 1-30).

McKinley does not explicitly disclose wherein the mixing unit a) receives the authorization parameters from the first control unit and b) restricts operating a function of the control unit by the second control unit and in response to the authorization parameters such that a user of the second control unit is restricted from applying control parameters that are not among said selected subset.

Cresci discloses wherein the mixing unit a) receives the authorization parameters from the first control unit and b) restricts operating a function of the control unit by the second control unit and in response to the authorization parameters such that a user of the second control unit is restricted from applying control parameters that are not among said selected subset (Fig. 2 and col. 4 line 5-33).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the mixer of McKinley with the mixer control of Cresci in order to provide a user with a convenient and versatile system.

Claim 14 analyzed with respect to claim 13, McKinley in view of Cresci do not explicitly disclose wherein the first control unit further comprises a keyboard that implements the plurality of control input points.

However McKinley and Cresci disclose knobs, faders and other control pieces (McKinley; Fig. 3 and col. 4 line 65-68 and Cresci; Fig. 2).

Examiner takes official notice on the limitation keyboard. Keyboards as input elements are well known in the art at the time of the invention. It would have been obvious to one of ordinary skill in the art at the time of the invention that design choice would determine the input element in order to provide a user with a user friendly and easy input piece.

Claim 15 analyzed with respect to claim 1, McKinley in view of Cresci discloses further comprising: identifying information for identifying a parameter that is authorized to change to be changed; an identifying information notifying unit for sending to the simple control unit the identifying information (Cresci Fig. 2 and col. 5 line 6-21) included in the detailed setting information identified by the calling instruction (McKinley Fig. 2-3 and col. 5 line 1-30); a receiving unit for receiving the identifying information from the identifying information notifying unit and a first operating piece for selecting one of the plural sets of detailed setting information stored in the storing unit;

second operating pieces which are associated with the respective parameters, and which input values of the parameters, respectively (McKinley Fig. 3-4 and col. 5 line 1-30 and Cresci Fig. 2) and a change notification sending unit (inherent to operation of Cresci Fig. 2 and col. 4 line 17-33 and col. 5 line 6-21) which sends to the

mixing unit the parameter change notification which contains contents of the change when a type of the parameter

which has been changed coincides with a type of the parameter which is authorized to be changed by the identifying information at the time the parameter is changed by any one of the second operating pieces (Cresci Fig. 2 and col. 4 line 17-33 and col. 5 line 6-21).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FATIMAT O. OLANIRAN whose telephone number is (571)270-3437. The examiner can normally be reached on M-F 10:00-6 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FO

/Vivian Chin/  
Supervisory Patent Examiner, Art Unit 2614